

A.J.

D.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *A.J.* D.C.  
2005 AUG -9 PM 12:06

CECIL JOHNSON,	)	)
	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civ. No. <u>04-2140-B/P</u>
	)	
CADILLAC OF MEMPHIS, et al.,	)	
	)	
Defendants.	)	
	)	

THOMAS H. MULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

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**ORDER GRANTING IN PART PLAINTIFF'S MOTION TO SUBPOENA WITNESS**

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Before the court is plaintiff's Motion to Subpoena Witness, filed August 4, 2005 (Dkt #29). On August 9, 2005, the court held a telephone conference with Johnson and counsel for the defendants. At the conference, the parties agreed that at the pretrial conference before District Judge Breen on August 4, 2005, Judge Breen informed Johnson that he would be solely responsible for securing his own witnesses for trial, which is set for August 15, 2005.

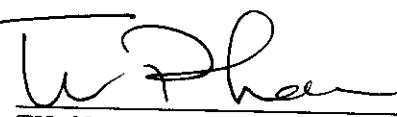
The court GRANTS plaintiff's motion in part, and hereby directs the Clerk's Office to issue trial subpoenas for the following individuals: James Gordon, Mark Chambers, Jimmy Smith, Adam Dewayne Bobo, Jesse Russell, Steve Haywood, Orlando Ship, Chris Blaylock, and Gary Blaylock. Again, Johnson will be solely responsible for securing these witnesses for trial.

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 8-9-05

(32)

The plaintiff has withdrawn his request for subpoenas for Wesley Burrows and Andrea Lawrence. As for Gary Davis and EEOC Investigator Dewayne W. Johnson, the court finds that their proposed testimony are not relevant to the claims and defenses at issue in this case, and therefore Johnson's request for subpoenas for these witnesses is DENIED.

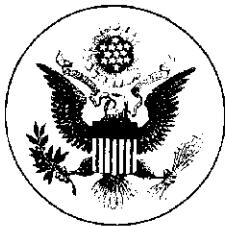
IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

August 9, 2005  
Date



# Notice of Distribution

This notice confirms a copy of the document docketed as number 32 in case 2:04-CV-02140 was distributed by fax, mail, or direct printing on August 9, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT